

Meeting Minutes
Plan & Zoning Commission Meeting
Tuesday, July 8, 2014
Ankeny City Hall – City Council Chambers
410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The July 8, 2014 meeting of the Plan & Zoning Commission was called to order at 6:30 pm by Vice Chairman D.Godwin.

ROLL CALL

Members present: T.Flack, D.Fliger, D.Godwin, P.Mollenhauer, S.Odson, T.Ripper. Absent: G.Hunter, L.Voigt, L.West. Staff present: E.Jensen, E.Carstens, J.Gould, E.Bodeker, T.Kuhn.

AMENDMENTS TO THE AGENDA

Motion by D.Fliger to approve the agenda as submitted. Second by T.Ripper. All voted aye. Motion carried 6 – 0.

COMMUNICATIONS

There were no communications.

CITIZEN'S REQUEST

There were no requests.

CONSENT AGENDA ITEMS

Item #1. Minutes

Motion to approve and accept the June 17, 2014 minutes of the Plan & Zoning Commission meeting.

Item #2. 1680 SW Ankeny Road Site Plan

Motion to approve the proposed site plan for 1680 SW Ankeny Road, subject to City Council approval of the Highpointe South Plat 1 Final Plat.

Item #3. DRA Acres Plat 1 Preliminary Plat (County)

Motion to recommend City Council approval of DRA Acres Plat 1 Preliminary Plat subject to applicable Polk County subdivision regulations in lieu of City of Ankeny subdivision regulations.

Referencing DRA Acres Plat 1, D.Fliger asked what the purpose is for platting such a large area to create just 2 small buildable lots. Brent Culp, Snyder & Associates, 2727 SW Snyder Blvd., Ankeny representing DRA Properties responded that this is identified by the county as an Agricultural Transition District requiring a minimum site area of 35 acres; stating that this is the best density they could get in Polk County in this district. He added that only 2 marketable lots can be done on the 75 acre parcel; the large outlot will be used as farmland until such time that it is annexed by the City of Ankeny. Ted Rapp, DRA Properties, LLC explained that Polk County restricts the amount of development based on the probability of annexation and availability of public sewer. D.Fliger asked if Ankeny could provide sewer to the property. Mr.Culp said it would need to be extended a distance of a half a mile, which is why the plat is setup for development as a typical urban subdivision once sewer is available.

D.Fliger asked if approval of the plat could be subject to providing sewer. E.Jensen explained that at this time, the ability to provide sewer is a long way off which is why the county places requirements on platting for future development. Mr.Culp stated the plat was set up so that in the future there will be a

single 71+ acre parcel available for development as opposed to two 35 acre parcels that may have different owners.

Motion by T.Flack to approve the recommendations for Consent Agenda Items #1 - #3. Second by T.Ripper. All voted aye. Motion carried 6 – 0.

BUSINESS ITEMS

Item #4. Farrell Rental Property and Farrell-Magady Family Farm LLC request to rezone property from R-1 (One-Family Residence District) to M-1 (Light Industrial District) with restrictions.

Staff Report: E.Bodeker presented an aerial map and reported that the request is to amend the zoning classification for 38.42 acres of land located one quarter mile south of NE 66th Avenue west of SE Delaware Avenue, changing from R-1, One-Family Residence District to M-1, Light Industrial District, with use restrictions. She explained that this is similar zoning and use restrictions approved in 2012 for the Toro property and in 2013 for the Chapman property, prohibiting the heavier industrial uses allowed in the M-1 District. She stated that there were no public comments made during the public hearing, but the Commission did discuss concerns with allowing concrete mixing, concrete products manufacture as an allowed use; and, based on those concerns, the applicant added “concrete mixing, concrete products manufacture” as a restricted use. Overall there are 5 parcels included with the rezoning request. Currently there are three single family residences that the owner rents; with the rezoning, the single family uses will be non-conforming. E.Bodeker stated that the proposed rezoning is consistent with the land use in this area as identified in the Comprehensive Plan and staff is recommending that the Plan and Zoning Commission recommend City Council approval of the Farrell-Magady Family Farm, LLC and Farrell Rental Property’s rezoning request from R-1, One-Family Residence District to M-1, Light Industrial District with use restrictions.

D.Godwin questioned why the houses stay but are non-conforming. E.Jensen said that when the property is redeveloped, they will go away, until that time, they are allowed to be maintained.

S.Odson asked why the city lift station was not included in the rezoning. E.Jensen responded that it is a city owned property where zoning is immaterial.

Caleb Smith, McClure Engineering Company said that the intent of the rezoning is to stay consistent with what is going on in the area.

Motion by D.Fliger to recommend City Council approval of the Farrell Rental Property and Farrell-Magady Family Farm LLC request to rezone property from R-1 to M-1 with use restrictions. Second by S.Odson. All voted aye. Motion carried 6 – 0.

Item #5. The Courts of Otter Creek Plat 2 Preliminary Plat & Final Plat

Staff Report: E.Bodeker presented an aerial map and reported that The Courts of Otter Creek Plat 2 is approximately 2.61 acres and is located north of NE 36th Street and east of NE Otter Creek Drive. The property is currently zoned C-2 with restrictions and R-1, however at an earlier meeting the Zoning Board of Adjustment approved a request for a zoning line adjustment so now the entire plat is zoned C-2 with conditions. She reported that both the preliminary and final plat for The Courts of Otter Creek propose 8 lots for the construction of 4 single family bi-attached homes. The residential use is allowed in the C-2 Zoning District and is consistent with the Comprehensive Plan. She said that the plat also includes 8 outlots that will be deeded and tied to the adjacent Lots 1-8; the rear yard setback for lots 1-8 will be measured from the eastern edge of the outlots allowing the developer to keep

floodplain off of developable lots, and allowing the rear yard setback to be met on Lots 1-6. E.Bodeker advised the Commission that the Zoning Board of Adjustment also took action on a rear yard variance request approving a 10-foot variance to allow a 30-foot rear yard setback for Lots 7&8. Access to the lots is off of the private section of NE Otter Creek Drive, which runs north/south from NE 36th Street to Otter Creek Golf Course.

S.Odson questioned the access from a private drive. E.Jensen explained that it is part of the city-owned parcel developed for the Otter Creek clubhouse, the roadway was not dedicated as right-of-way; it's a driveway that is publicly owned. S.Odson asked who paid for the driveway. E.Jensen replied that it was likely paid for by the city as part of the entire project and the land exchange between the City and DRA Properties.

E.Bodeker reported that shared driveways will be provided at the locations shown as an ingress/egress easement split by a property boundary. Water services will extend from the east side of NE Otter Creek Drive. Sanitary sewer will connect to trunk sewer which runs along the west side of Otter Creek. Park site dedication was handled at the time of the Otter Creek Golf Course Redevelopment Plats; dedication for the development has been met. Outlot P will be deeded to the City for creek and floodplain maintenance.

Motion by T.Flack to recommend City Council approval of The Courts of Otter Creek Plat 2 Preliminary Plat. Second by P.Mollenhauer. All voted aye. Motion carried 6 – 0.

Motion by D.Fliger to recommend City Council approval of The Courts of Otter Creek Plat 2 Final Plat. Second by S.Odson. All voted aye. Motion carried 6 – 0.

REPORTS

City Council Meeting

D.Fliger reported on his attendance at the July 7, 2014 City Council meeting. He asked that the city employee newsletter referenced during the meeting be forwarded to the Commission.

Director's Report

E.Jensen presented the tentative agenda items for the July 22, 2014 meeting and the June 2014 Building Permits Report.

Commissioner's Reports

S.Odson commented that he noticed the trees south of the high school along SW Magazine Road need to be replaced. Staff will followup.

D.Fliger reported on his attendance at the June 27th Quarterly Information meeting.

T.Ripper asked if NE 36th Street will be completed in time for the school opening. E.Jensen responded that he understands that they are behind due to weather, but hope to catch up.

D.Godwin commented that there was a good news report on WHO on Summerfest.

MISCELLANEOUS ITEM

T.Flack will attend the July 21, 2014 City Council meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:05pm.

Submitted by Trish Kuhn
Secretary, Plan & Zoning Commission